THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA): (a) to (c) Sec. 24 of the amended Industrial Disputes (I.D.) Act No. 46 of 1982 which sought to omit Sec. 6 (2) of the Sales Promotion Employees Act was not brought into force as this would have left sales promotion employees outside the ambit and protection of the Industrial Disputes Act, 1947. It was, therefore, decided to notify section 24 of the amended I. D. Act only after Section 2 (c) of that Act had been brought into force which inter alia, sought to include within the definition of term 'industry' any activity relating to the promotion of sales or business or both carriedout by an establishment. However, it has so far not been possible to enforce Section 2 (c) of the amended I. D. Act for want of alternative grievance settlement machinery for certain categories of establishments which were sought to be excluded from the purview of the Industrial. Disputes Act, 1947.

Amndment of Industrial Disputes Act to cover sales promotion

805. SHRI GAYA SINGH:
SHRI GURUDAS DAS GUPTA:

Will the Minister of LABOUR be pleased to state:

(a) whether Government's attention has been drawn to the Supreme Court judgement dated 17th August, 1994 holding that the Medical Representatives and sales Representatives are not covered by the definition "Workman" under section 2 (S) of the Industrial Disputes Act, 1947.

(b) whether Government have received a Memorandum dated 8th September, 1994 from the National Federation of Sales Representatives' unions in this regard requesting for the amendment of the Industrial Disputes Act so as to include the words "sales promotion" in the definition of "Workman" under Section 2 (S) of the Act; and

(c) if so, the details and Government's reaction thereto?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA): (a) and (b) Yes, Sir.

(c) The Federation has proposed that the Industrial Disputes Act, 1947 may be suitably amended to include the words "sales promotion in the definition of the term "Workman" under Section 2 (S) of the Act. The proposal has been noted for consideration at the appropriate time.

Sales promotion included in the definition of "Industry"

806. SHRI GAYA SINGH:
SHRI GURUDAS DAS GUPTA:

Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that as per the amendment made to the Section 2 (j) of the Industrial Disputes Act in 1982, any activity relating to promotion of sales or business or both carried out by an establishment was included in the definition of "Industry";

(b) if so, whether it is also a fact that this amendment has not been brought into force till date; and

(c) if so, what are the details and reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA): (a) and (b) Yes, Sir.

(c) In 1982, section 2 (j) of the Industrial Disputes Act, 1947 was amended according to which the term 'Industry' was redefined inter alia to exclude certain categories of establishments such as hospitals, etc. from the puriew of the Act. The amended definition of the term 'Industry' could not be brought into force as no alternative Grievance Redressal Machinery could be established for employees in the excluded categories such as hospitals etc., who would have been denied the protection of the Industrial Disputes Act, 1947. Until this has been done it will not be possible to enforce the amended definition of the term 'industry'.

Redesignation of ITCS

807. SHRIMATI SARALA MAHESHWARI:
SHRI NILOT PAL BASU:

Will the Minister of LABOUR be pleased to state:

(a) whether Government have issued a directive to redesignate the ITIs, run under private management as ITCs;

(b) if so, the reasons thereof; and

(c) whether such redesignation will lead to any changes in the rights enjoyed by the trainees passing out of these institutes?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (Shri P.A. SANGMA): (a) and (b) general circular was issued in October 1934 to suffix the Word 'Industrial Training Centre (ITC)' to the name of private institutions and the Word 'Industrial Training Institute (ITI), to the name of Government institutions in order to distinguish them.

(c) No.

श्रम संबंधी मामलों के निपटान में विलम्ब

808. श्री ईश दत्त यादव :
श्री कनकसिंह मोहन सिंह मंगरौला :

क्या श्रम मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि श्रम संबंधी मामलों के निपटान में अत्यधिक विलम्ब होता है जिसके परिणामस्वरूप श्रमिकों को अत्यधिक मानसिक यंत्रणाओं का सामना करना पड़ रहा है ; और

(ख) सरकार द्वारा श्रम संबंधी मामलों के शीघ्र निपटाने के लिये क्या प्रयास किए गए हैं ?

श्रम मंत्रालय के राज्य मंत्री (श्री पी० ए० संगमा) : (क) और (ख) यह अनुमान लगाया जाता है प्रश्न में श्रम न्यायालयों और औद्योगिक अधिकरणों में लंबित श्रम मामलों के निपटान में विलम्ब के बारे में सूचनां मांगी गयी है । औद्योगिक अधिकरणों एवं श्रम न्यायालयों द्वारा मामलों को निपटाने मे कुछ विलम्ब होता रहा है। विवादों का शीघ्र निपटान सुनिश्चित करने के लिए सरकार द्वारा की गयी कार्रवाइयों में निम्नलिखित शामिल हैं :—

(i) संराधन तंत्र को बेहतर तथा सुदृढ़ करना ताकि मामलों की एक बड़ी संख्या का संराधन अवस्था पर ही निपटान किया जा सके ;

(ii) श्रम न्यायालयों और औद्योगिक अधिकरणों के पीठासीन अधिकारियों के रिक्त पदों को शीघ्र भरने के लिए प्रयास करना ;

(iii) जहां आवश्यक हो अतिरिक्त श्रम न्यायालयों और औद्योगिक अधिकरणों की स्थापना करना ;

(iv) जहां संभव हो लोक अदालतों का आयोजन ।